



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
DEC 07 2001
TECH CENTER 1600/2900

DA C / 1646

Duplicate
of # 13

RECEIVED

DEC 05 2001

OFFICE OF PETITIONS

Applicant : Lisa E. Myers et al.
Appl'n. No. : 09/142,628
Filed : June 10, 1999
Title : TRANSFERRIN RECEPTOR GENES OF MORAXELLA
Grp./A.U. : 1646
Examiner : PAK, M.
Docket No. : 1038-833 MIS:sd

November 30, 2001

VIA FAX
CONFIRMATION BY COURIER

The Commissioner of Patents
and Trademarks,
Box DAC
Washington, D.C. 20231,
U.S.A.

Attention: Group Director, Group 1600

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sirs:

Petition is hereby made under the provisions of 37 C.F.R. 1.181 to
Withdraw a Holding of Abandonment in this application.

A communication was received from the Examiner dated November 7,
2001, enclosing a Notice of Abandonment, indicating that the application was deemed
to be abandoned for failure to timely file a response to the Office letter mailed March 28,
2001.

The Office letter mailed March 28, 2001 was a restriction requirement. Applicants prepared and submitted a response by letter dated April 25, 2001. A copy of such letter, newly signed, is enclosed. This letter was sent by courier shipment for delivery to the PTO and a copy of the courier waybill is enclosed. The letter responding to the restriction requirement was received in the PTO on April 26, 2001, i.e. within the one month term set for response, as evidenced by the copy of the return postcard enclosed.

It is apparent, therefore, that applicants timely responded to the Office Action of March 28, 2001 and hence the holding of abandonment should be withdrawn.

Respectfully submitted,



M.I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada,
(416) 595-1155
FAX No. (416) 595-1163